

## **REMARKS**

As an initial matter, Applicant notes that the Examiner neither accepted nor objected to the drawings in the first Office Action. It appears that the lack of acceptance or objection is merely an oversight. Therefore, Applicant respectfully requests that the Examiner accept the drawings as filed.

In the Office Action dated July 21, 2005, the Examiner allowed claims 2-10 and rejected claim 1 under nonstatutory double patenting. The Examiner states that claim 1 of this application, though not identical with, is patentably indistinct over claim 16 of U.S. Patent No. 6,798,313 (the parent application). Applicant respectfully disagrees. Nevertheless, in an effort to advance the prosecution of this application, Applicant submits herewith an appropriate Terminal Disclaimer as suggested by the Examiner.

## **Conclusion**

In view of the above remarks and the Terminal Disclaimer, Applicant respectfully requests that the double patenting rejection be withdrawn and that all pending claims be allowed. The Examiner is invited to telephone the undersigned at (602)382-6367 at the Examiner's convenience, if that would help further prosecution of the subject Application. Applicant authorizes and respectfully requests that any fees due be charged to Deposit Account No. 19-2814. **This statement does NOT authorize charge of the issue fee.**

Dated: Oct 7, 2005

Respectfully submitted,

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